

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

1. GREAT LAKES INSURANCE SE,)	
)	
Plaintiff,)	
)	Case No. 5:22-CV-00702-JD
vs.)	Judge Jodi W. Dishman
)	
2. FREDY VALLE d/b/a VALLE)	
TRUCKING,)	
3. SILVER STAR CONSTRUCTION)	
COMPANY, INC.,)	
4. TYLON MACKEY,)	
5. ISRAEL JUAREZ,)	
6. ORD TRUCKING, INC., and)	
7. ZURICH AMERICAN INS. CO.,)	
)	
Defendants.)	

**DEFENDANT ZURICH AMERICAN INSURANCE COMPANY’S NOTICE OF
RELATED CASE**

Defendant Zurich American Insurance Company (“ZAIC”), by and through its counsel of record, respectfully submits its Notice of Related Case. ZAIC would show the Court as follows:

1. This action for declaratory judgment seeks a declaration of the rights and obligations of various insurers relating to defense and indemnity of their insureds relating to an automobile accident which occurred in Payne County, Oklahoma on September 4, 2019 (the “**Accident**”).

2. On July 8, 2020, an action was filed in the District Court of Payne County, Oklahoma relating to the Accident, styled as *Tylon Mackey v. Israel Juarez, ORD Trucking, Inc., Fredy N. Valle Sr. d/b/a Valle Trucking and Silver Star Construction*

Company, Inc., Payne County, Oklahoma District Court Case No. CJ-20-233 (“**Underlying Lawsuit**”). The Underlying Lawsuit is pending in Payne County, Oklahoma District Court before the Honorable Phillip C. Corley.

3. On November 2, 2022, the parties in the Underlying Lawsuit filed a “Joint Motion to Continue Pretrial Conference and Respective Deadlines,” advising the Court of the pendency of the instant declaratory judgment action. The Joint Motion requested a continuance of the Pretrial Conference based upon the pendency of the instant action and other considerations. On November 2, 2022, Judge Corley entered an Order continuing the Pretrial Conference to May 4, 2023 at 2:30 p.m.

4. As the parties in the instant action are seeking a declaration from the Court regarding their rights and obligations to their insureds as to the defense and indemnity of said insureds in the Underlying Lawsuit, ZAIC submits this Notice to make the Court aware of the pendency of the Underlying Lawsuit so that it can take any action it deems appropriate.

Respectfully Submitted,

WILBURN, MASTERSON & HAMPTON

By s/Amy E. Hampton

MICHAEL J. MASTERSON, OBA# 5769

AMY E. HAMPTON, OBA # 20235

2421 E. Skelly Dr.

Tulsa, OK 74105-6006

(918) 494-0414

FAX: (918) 493-3455

E-Mail: mike.masterson@wilburnmasterson.com

amy.hampton@wilburnmasterson.com

Attorney for Defendant Zurich American Insurance Company

CERTIFICATE OF SERVICE

I, Amy E. Hampton, hereby certify that on this 27th day of January, 2023, a true and correct copy of the foregoing document was served upon the following via the Court's electronic notification system:

Michael S. Linscott
Doerner, Saunders, Daniel & Anderson, L.L.P.
Two West Second Street, Suite 700
Tulsa, OK 74103-3117
Attorney for Great Lakes Insurance SE

Brian M. Keester
Doerner, Saunders, Daniel & Anderson, L.L.P.
2 West Second Street, Suite 700
Tulsa, OK 74103-3117
Attorney for Great Lakes Insurance SE

Emily E. Allan
Doerner, Saunders, Daniel & Anderson, L.L.P.
210 Park Avenue, Suite 1200
Oklahoma City, OK 73102
Attorney for Great Lakes Insurance SE

Mark A. Warman
Levinson, Smith & Huffman, P.C.
1743 South 71st Street
Tulsa, OK 74136-5108
Attorney for Israel Juarez

J. Chris Horton
J. Chris Horton, PC
PO Box 576
El Reno, OK 73036
Attorney for Silver Star Construction Company, Inc.

James A. Scimeca
Burch, George & Germany
1500 City Place Bldg.
204 N. Robinson, Ste 1500
Oklahoma City, OK 73102
Attorney for Tylon Mackey

Ryan Polchinski
Law Offices of Daniel M. Davis
300 N. Walnut Ave.

Oklahoma City, OK 73104
Attorney for Tylon Mackey

Andrew Polchinski
Law Offices of Daniel M. Davis
300 N. Walnut Ave.
Oklahoma City, OK 73104
Attorney for Tylon Mackey

s/Amy E. Hampton
AMY E. HAMPTON

AEH/ach